App. F. IX-4

Previous References. 194 . (Prisons) File No. 20-43
Serial No. 748

Later References.

Pris 2 of 44 (1-2)
Pris dep 21/47
Pris 50-56 +2

PRESERVED Reserve

GENERAL AND REVENUE SECRETARIAT

Serial Nos. Two

Part B for June 1944

SUBJECT

Wheat or rice diet to prisons — tables allowed as ordered in warrants by Magistrates Courts —

P 7943-53/R 20-43-8 D/ 23-6-1944

To
The I.G. of Prisons
The Registrar High Court
The Dist. Magistrates of Districts

H.C. Freeman
D/ 27-7-44.

'Recommendation No. 172 of the Prison Reforms Committee

General and Revenue Secretariat | Pris | File No. 20 | of 1943. | [App. F. III—2

Serial No.

In para 114 of Chapter VIII of their Report, the Prison Reforms Committee observe that the rules as to dietary in Chapter XXII of the Mysore Jail Manual do not provide in specific terms for the issue to any prisoner of the kind of grain to which he is generally accustomed as food, whether it be rice, ragi, wheat or jola, or indeed for any modification of the prescribed dietary without the sanction of Govt, except on the recommendation of the Medical Officer in the case of individual prisoners.

The Committee recommend that the convicting Court, of its own motion or on a reference by the Jail Superintendent, should have powers to determine the class of diet as well as the kind of grain - whether rice, ragi, jola or wheat, - which usually sentenced prisoners should receive in jail. The Committee ~~propose~~ state that as rules on the lines of Madras Rule 347(3) will provide for this, and to enable the prison authorities to meet the needs of prisoners whose staple food is others than rice or ragi

The I.G. of Prisons states that the British Indian Courts have the powers to prescribe diet to both convicts and undertrials prisoners, and suggests that the Courts in the States may be invested with similar powers.

He states further that the Resident

NOTE—Contn. Sheet.

WD 04155—GPB—55,000—22-10-41

341/44

Recommendation no 172 of the Rurson Reforms Committee

File No. of 194 . | General and Revenue Secretariat.

Serial No.

of the Punjab and other up-country places whose staple food is wheat are sometimes received into the State jails and lock-ups by extradition, and proposes that the officers in charge of jails and lock-ups may also be allowed the power to determine the diet in such cases. *

* Flag R.

It is not clear from the recommendations of the Committee or from the opinion of the I.G.P. or the rules in the Jail Manuals, whether the four rations of grain referred to by the Committee are now being issued to prisoners respectively accustomed to them or whether it is proposed to introduce it anew. If so, the I. G. of Prisons will, if approved, be requested to intimate whether rice, ragi, jola or wheat are being now issued in the jails & lock up to prisoners accustomed to them respectively and whether the acceptance of the recommendations of the Committee would involve any extra cost.

MRW 14/7

Law Secy).

May be asked

MRW 14/7

15.7

Draft letter to the Insp Prisons is submitted for appl..

Secy MRW 22/7

22/7

SECY. LAW DEPT. 1 JUL 1942 GOVT OF MYSORE

Recommendation No 172 of the Prisons
Reference Committee.

General and Revenue Secretariat	File No. 10 of 1943	[App. F.-III—2

Serial No.	
Sec'd 27/7/42	To see file of Prisons — W.P. 5-98-8 23-7-42 — request to furnish detailed information on the above recommendation re duties of prisoners.

NOTE—Contn. Sheet.

WD 04165—GPB—55,000—23-10-41

Prisons — 8498 (5

Continuation Sheet. File No. Wheat diet to certain prisoners Page.

Pub Current No. 10 of 43

From, Secy D.G of Prisons,

Letter No. 5332-480 dated 22nd May 1926 requesting in the Ceded Districts, Sanction to allow wheat diet to such of the prisoners who are unaccustomed to rice or ragi prior to their admission to the Jail and to incorporate in the Jail Manual, a rule in that behalf.

—11—

Submitted: The proposal of the D.G. has to be accepted in the ceded Districts as there is otherwise the health of such prisoners will be affected.

Submitted for orders. This is a matter for the discretion of the Committee Govt to order wheat diet.

12 [illegible]

What has the Prison Reforms Committee to say in these matters. Have we not called for the further opinion of the I.G. Prisons in these matters? Please verify from the files cases.

Submitted: The limited file relates to the question of allowing the diet to which persons are accustomed to prior to their entry into the Jail. The Prison Reforms Committee are also in favour of allowing wheat diet also & want the power to be vested with the Superintendents as to the

for certain kind of diet to be allowed to the prisoner. The G: G is of opinion that cases of new also that the Executive Court may be asked to specify the 'Wheat' diet if it is to be allowed to any prisoner who is unaccustomed to eat ragi & rice, as in the Madras Jail Manual.

It would simplify matters, and obviate unnecessary correspondence and the unnecessary inconvenience to prisoners, if as opined by the Prison Reforms Committee, the Superintendents of Jails are empowered to allow wheat diet to such prisoners who are unaccustomed to eat Ragi or rice prior to their admission in Jails

15/2/41

The Prisons Reforms Committee in paragraph 14 of Chapter 8 of their Report observed that the Rules as to dietary contained in Chapter 22 of the Mysore Jail Manual do not provide in any specific terms for the issue to any prisoner of the kind of grain to which he is generally accustomed as food, whether it be Rice, Ragi, Wheat or Jola, or indeed for any modification of the prescribed dietary without the sanction of Government, except on the recommendation of the Medical Officer in the case of individual prisoners.

The Committee recommend that the Convicting Court,

Serial No.

of its own motion or on reference by the Jail Superintendent, should have power to determine the class of diet as well as kind of grains, whether Rice, Ragi, Jola or Wheat, which newly sentenced prisoners should receive in Jail. The Committee suggest that a rule on the lines of Madras Rule 347 (3) will provide for this, and enable the Prison Authorities to meet the needs of prisoners whose staple food is other than Rice or Ragi.

The Inspector-General of Prisons states that prisoners are generally being given the food that they are accustomed to, although this practice is not covered by the Rules in the Mysore Jail Manual. He states that the Prisoners belonging to the Punjab and other Up-country places who are generally accustomed to Wheat are often received and confined in the Jails, and he also suggests, therefore, that a rule on the lines of Rule 347 (3) of Madras Jail Manual may be made in our Jail Manual as proposed by the Prison Reforms Committee.

Rule 347(3) of the Madras Jail Manual referred to reads as follows:-

"347.(4)(3) (i) In the case of newly sentenced prisoners, the class of diet -- whether rice ragi, cholam, cumbu or wheat or jola which they are to receive in jail should be determined by the conficting court and be entered in the committal warrants issued by it. The Magis-

Note.—Contn. sheet.

VT 01094—GPB—20,000—22-2-41

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Magistrate should make personal enquiries as to the habits and status of the prisoner before deciding on the class of diet to be allowed to him and should note in his own hand the following particulars at the foot of the warrant:-

(a) the diet to which the prisoner was accustomed according to his own statement;

(b) the diet recommended by the Magistrate;

(c) brief reasons if rice or wheat is recommended.

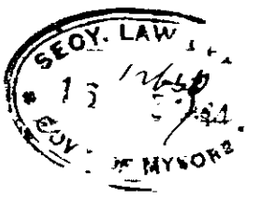
(ii) The above classification should not be liable to any change whatever by the Jail authorities except on medical grounds and on the written recommendation of the Medical Officer.

(iii) If the Superintendent of the jail has reason to believe that the convicting court has made a mistake in the classification of diet, he should refer the matter to the court.

(iv) Any prisoner may, while in jail, if dissatisfied with the diet allowed, apply to the Superintendent of the jail for a revision of the classification. The Superintendent will then refer the matter to the court which committed the prisoner and the decision of the court will be final."

The Inspector-General of Prisons's proposal may be approved.

16/6/44.



Law Secretary)

The I.G.P.'s recommendation may be accepted

Wheat diet to certain prisoners. .8445

(a)

Continuation Sheet. File No. / Current No. Prisons 26 of 43 — Page.

8

& the rule suggested may be incorporated

Mr Cobb Law

16.6.44

R. A.

20/6

Mr Cowan

22/6/44

Mr

23/6/44

Mr

23-6-44

23/6/44

OFFICE OF THE MINISTER FOR JUSTICE & LAW
19 JUNE 1944
No. 2099

Law Secy's Instrns:- "Issue Rules today"
23/6/44

once

Issue draft put up ah
28/6/44

8

Issued G. of No P.7948-58 dated 28th June 1944

Mr Gall may be submitted to the Governor

6/28/6.

W. Wright

Extract from the opinion of the I.G. of Prisons on the recommendations of the Prison Reforms Committee

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Recommendation No. 142 — The Convicting Court should have power to determine the class of diet as well as the kind of grain which newly sentenced prisoners should receive in jail. A rule may be framed to provide for this, and to enable the prison authorities to meet the needs of prisoners whose staple food is others than rice or ragi.

I.G. of Prisons Views thereon :- The British Indian Courts have the power to prescribe the diet to both convicted and undertrial prisoners. The Courts in our State may be invested with similar powers.

The residents of the Punjab and other up-country places whose staple food is wheat are sometimes received into the State jails and lock-ups by extradition. It is desirable that the officers in charge of jails and lock-ups are also allowed the power to determine the diet in such cases.

NAV
14/7

(1)

Appendix F G—1]

SUBJECT .....

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Diary No. of letter replied to.....

Section

File No.

Serial No.

No. [illegible]95

To

The Dist of Prisons

Subject: — Distary of prisons —

Issue of Ragi, Rice, Jola or Wheat to prisoners in accordance to use

Prisons. ~~effectively~~

Sir,

I am directed to invite reference to the Prison Manual No. 172 by you ~~the~~ recommendation of the Prison Reforms Committee ~~on the above subject~~ and to request ~~that~~ you ~~will~~ be to good as to furnish detailed information as to the existing

List of enclosures.....

Copied by .....

Examined by .....

practice of that proposed in

this behalf ... viz.

1). Whether rice, ragi, jola

or wheat in lieu thereof should be given to prisoners who are used to it, in Jails & lock-ups

~~as accustomed to it respectively~~; and or

2) whether the acceptance of

the recommendation of the Committee would subordinate afresh the issue of these

different kinds of diet and would also

~~would involve~~ involve any extra cost.

The favour of an early

reply is requested.

Thanking you,

Yours faithfully,

22/7

22/7

for Secy (Home), Local Deptt

391 C. F. No. 46] **GOVERNMENT OF MYSORE** 8468 p 843 (2

No. 532-480 OFFICE OF the Inspector-General of Prisons
Encls. in Mysore, Bangalore

Date 19th May 1944.

To Pris 20-43-7

The Legal Remembrancer and Secretary to the Government of His Highness the Maharaja of Mysore, Law Department, Bangalore.

Subject:- Dietary of prisoners.

I have the honour to state that prisoners belonging to the Punjab and the other up-country places, whose staple food is wheat and those belonging to Hubli, Dharwar and other places, who are generally accustomed to Jola are often received and confined in the State Jails. During their stay in a Jail or Lock-up in the State, they are generally given the food they are accustomed to. This practice is not covered by the rules in the Mysore Jail Manual. As suggested by the Prison Reforms Committee under para 15, Page 114, Chapter VIII of their report, it is necessary to introduce a rule in the Mysore Jail Manual to "enable the prison authorities to meet the needs of prisoners whose staple food is other than rice or ragi". It is reported by the Superintendent, Central Jail that there are 45 up-country prisoners now in his Jail and that these prisoners are placed on wheat diet. I request that the action taken by the Superintendent may kindly be approved. Sanction of Government to incorporate in the Mysore Jail Manual, a rule on the lines of rule 347 (3) of Madras Jail Manual may kindly be obtained and communicated to me early. Under the existing market conditions, it is not possible to estimate exactly the extra cost that the issue of wheat in lieu of rice or ragi, may involve (Please vide your letter No P. 595 dated the 23rd July 1942)

I have the honour to be,
Sir
Your most obedient servant,

Inspector-General of Prisons.

THE MADRAS JAIL MANUAL.

(Edition 1928)

CHAPTER XXII.

Rule 347 (3)(i) In the case of newly sentenced prisoners the class of diet - whether rice, ragi, cholam or cumbu - which they are to receive in Jail should be determined by the convicting courts and entered in the committal warrants issued by them. The Magistrates should make personal inquiries as to the habits and status of the prisoner before deciding on the class of diet to be allowed to him and note in their own hand the following particulars at the foot of the warrant:-

(a) the diet to which the prisoner was accustomed according to his own statement;

(b) the diet recommended by the magistrate;

(c) brief reasons if rice-diet is recommended.

(ii) The above classification should not be liable to any change whatever by the jail authorities except on medical grounds and on the written recommendation of the Medical Officer.

(iii) If the Superintendent of the jail has reason to believe that the convicting court has made a mistake in the classification of diet, he should refer the matter to the Court.

(iv) Any prisoner placed on ragi, cholam or cumbu diet may, while in jail, if dissatisfied with the diet allowed apply to the Superintendent of the jail for a revision of the classification. The Superintendent will then refer the matter to the court which committed the prisoner and the decision of the court will be final.

Please read para 15, page 114 ~~chapt~~ chapter VIII of the Report on Prison Reforms

PROCEEDINGS OF THE GOVT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read:-

Recommendation No.172 of the Prison Reforms Committee regarding the class of diet and the kind of grain to be allowed to prisoners in Jails and the views of the Inspector-General of Prisons, thereon.

ORDER NO. P 7943-53/Pris 20-43-8

Bangalore, the 23rd June 1944.

The Prison Reforms Committee in paragraph 14 of Chapter 8 of their Report observe that the Rules as to dietary contained in Chapter 22 of the Mysore Jail Manual do not provide in specific terms for the issue to any prisoner of the kind of grain to which he is generally accustomed as food, whether it be Rice, Ragi, Wheat or Jola or indeed for any modification of the prescribed dietary without the sanction of Government, except on the recommendation of the Medical Officer in the case of individual prisoners.

The Committee recommend that the Convicting Court, of its own motion or on reference by the Jail Superintendent, should have power to determine the class of diet as well as kind of grains, whether rice, ragi, Jola or wheat, which newly sentenced prisoners should receive in jail. The Committee suggest that a rule on the lines of Madras Rule 347 (3) will provide for this, and enable the Prison Authorities to meet the needs of prisoners whose staple food is other than rice or ragi.

The Inspector-General of Prisons, who was consulted in the matter recommends the acceptance of the Committee's recommendation and suggests that a rule on the lines of Rule 347(3) of the Madras Jail Manual may be made in our Jail Manual as proposed by the Committee.

Government are pleased to accept the recommendation of the Committee and to direct that the following be substituted for sub-rule (4) of rule 326 II of the Mysore Jail Manual and for note 4 of rule 97 of the Lock-up Manual.

"(4) (i) In the case of newly sentenced prisoners, the class of diet -- whether rice, ragi, wheat or Jola, which they are to receive in jail should be determined by the convicting court and be entered in the Committal Warrants issued by it. The Magistrate should make personal inquiries as to the habits and status of the prisoner before deciding on the class of diet to be allowed to him and should note in his own hand the following particulars at the foot of the

(page two

(5

the warrant:-

(a) the diet to which the prisoner was accustomed according to his own statement;

(b) the diet recommended by the Magistrate;

(b) brief reasons if rice or wheat is recommended.

(ii) The above classification should not be liable to any change whatever by the Jail authorities except on medical grounds and on the written recommendation of the Medical officer.

(iii) If the Superintendent of the Jail has reason to believe that the convicting court has made a mistake in the classification of diet, he should refer the matter to the court.

(iv) Any prisoner may, while in Jail, if dissatisfied with the diet allowed, apply to the Superintendent of the Jail for a revision of the classification. The Superintendent will then refer the matter to the courts which committed the (Convicted) prisoner and the decision of the Court will be final.

M. N. Nanjappa

LAW SECRETARY TO GOVERNMENT.

To

The Inspector-General of Prisons in Mysore, Bangalore.
The Registrar, High Court of Mysore, Bangalore.
The District Magistrates of Districts.

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